THE TICHBORNE CASE.

lately been granted by Sir John Holker, embodies

parisalistion to try the case, and for the tollowing reasons:—The indictment for perjury was divided into two parts, the first count being for perjury committed in the city of London, and the second being for the like offence committed in the county of Middlesex. Dr. Kenesly contends that the Court

of Queen's Bench had no power to try a prisoner for perjury committed in the city of London by a jury of the county of Middiesex, and in this view ho

is supported by several eminent members of the English Bar. It will be remembered that this trial

was removed by certiorari from the Central Criminal

Court to the Queen's Bench, and on that account the venue was laid wrongly and the jury was obtained

from a wrong county. It is a fundamental rule in English common law that where there is a trial at bar for any offence, or where there is any ordinary

bar for any offence, or where there is any ordinary trial for any offence not committed in the county of Middlesex, the jury must be summoned from the county where the crime was committed. Thus, if committed in Yorksnire and there is a trial in London the jury must be brought from Yorkshire.

Another point which Dr. Kenealy will urge as to the first count of the indictment in that the Court of Common Pless, in which the claimant brought his action for ejectment, was the only court in which such a trial could take place; but as it was removed from that tribunal for the purposes of convenience to the Westminster Sessions House, the Doctor contends that that court had no jurisdiction to administer the oath, and that therefore the claimant could not have committed perjury from a legal point of view. The Court of Common Pleas had jurisdiction to try the cause in Westminster Hall, but nowhere else.

either in Great Britain or America.

VIRGINIA.

The State Debt Question as Explained by the Debt Payers.

A VICTIM OF DEMAGOGUES.

Is Readjustment Another Name for Repudiation?

The Canadian exhibit of curiosities at the Centen-nial Exposition included the original field notes of 'Mason and Dixon's line," a line which ultimately eparated the slave State of Virginia from the free of Pennsylvania, dividing the Northern States that had done away with slavery from the Southern States that seemed determined to perpetuate and ex-tend it—a line which marked the strangest political division, the strongest social antagonism and the fiercest prejudices and resentments that ever gave

ise to rebellion and civil war.

The field notes of the famous survey, having been reserved at Halifax, N. S., were purchased by the Juited States and are now deposited in Washington.

When Mason and Dixon's line was drawn in 1767 the

riance was already defined between Northern and uthern customs, mainers, speech and feelings sich became remarkable after the union of the States—a variance hardly ever more obvious than now. The abolition of slavery has had different efts in different Southern communities. In none them has it stifled the pride, the idiosyncrasies, of venty years ago. The "line" still divides a hetero North from a peculiar South, and no North rn stranger who crossed it to-day—starting, for in-tance, from New York or Philadelphia at night and tenning off at Richmond next noon-can fall to be in kind, as those that strike an Englishman at Boulogne or Calais. Most travelling Americans unwilling, it seems, to admit so much, matter how harshly the fact obtrudes if. But the fact stands. It is the most palpable one that rises up on the threshold of the South. Go from New York into New England and you find oddities, queer dialocts, local preju-dices. The Western States this side of the Missouri are full of bizarre characteristics and independent many respects dissimilar from all the rest. But be East and the West, everywhere from ocean to ocean, one discerns a tremendous bond of American brotherhood and union—a sympathy of enterprise and wishes, a disposition to pull together, a feeling of common nationality and interest. New York and San Francisco—the Oriental metropolis and the Occidental metropolis—are linked to Chicago and its connections by chains that political animos-

of interest north of Mason and Dixon's line and sense of isolation and difference south of it is nething that no denial, no protestation, can make arprising in it. Nobody who reflects upon events and wonder at it. What is the use of trying, as do North, to conceal or reject it, or slur if over? For my part I prefer to take the bull by the horns at once, and, admitting the estrangement (more or less sad, unwilling, regretful, flerce, implacable, stead-fast, unprincipled or sullen, according to the temper and intelligence and circumstances of the people; which is felt toward the North by the mass and remedies. From no locality in the North from New York. Virginia, too, is the place just now to begin the diagnosis. Her ancient influence has not all perished, despite the shearing of her domain (by the lopping off the new State of Western Virginia since the war), and her political condition is more interesting and critical than that of any other

THE LEADER OF THE NEW PARTY.

The State debt question, still paramount, casts svery other political consideration into the shade; yet its settlement may ultimately have an important bearing on the course of Virginia and other Southern States in national politics. At present old party outlines are crased by the friction between the "dept iefly responsible for the current agitation is Gen-

fighting division in Lee's army, which greatly distinguished itself in the nine months of Grant's siego of Petersburg. It was nicknamed the "Reserve Dibecause it was the only movable division crossing of the James until the surrender at Appo-mattox Court House. After the war General Mahone resumed his previous connection with railroads, and, being a man of marked executive energy, soon appeared foremost in an effort to consolidate the lines between Norfolk and Bristol, on the Tennessee border, there to connect with lines to Knoxville, president of the first link in the proposed chain (the Norfolk and Petersburg Railroad), he sucgetting control of the two remaining lines leading into Tennessee, next in securing an act of consolidation from the Legislature against a vehement opposition in that body and outside of it. The opposition was based on the ground that the State, by the act of consolidation, was required to give up to the consolidated road assets properly belonging to State creditors. To this General Mahone and his friends replied that Virginia did not owe all her to all her sesets. It was in the course of that dis-cussion that a sentiment in favor of "readjusting" Mahone during the next few years. Mahone became president of the consolidated railroad, which event-ually went into the hands of a receiver, where it still remains. Gradually taking a stronger hand in date for Governor on the readjustment idea. At the last moment in the convention, however, he threw his strength for Holliday, the present incumbent, enabling the latter to defeat Daniels by a large maority of votes and obtain the nomination. It would sem that Mahone did this, not that he hated Holliday less, but Daniels more, for Governor Holliday was and is an impiscable foe of the readjusting scheme which General Mahone has since been nurs-

Now, in order that readers of the HERALD throughout the country, North and South, as well as creditors of Virginia in Europe, may be fully informed of the merits of this whole matter, I will first define it from the standpoint of the debt payers, as explained to me by the best informed men in Virginia among their number. Then I will submit General Mahone's vindication of his policy, as given to me some time before the meeting of the Legislature— the first statement he vouchsafed to a newspaper. The debt payers review the history of the debt as

"The State debt up to January 1, 1861—the caste-bellass debt—amounted to \$28,710,857. In 1865, after the dissolution of the Confederacy, it was stated by the Governor in his Message to be \$41,668,316. In 1866 a joint finance committee of the Legislature reported a bill which was passed unanimously by both houses, by which the Legislature assumed not only the whole debt ot Old Virginia, and the war interest thereon, but also such debt as may have been created by the restored State of Virginia subsequent to the war. That piedge was in full force when the act of 1871, known as the Funding act, was passed. The debt up to July of that year, the date from which the law was to operate, was \$47,000,000. In the meantime West Virginia had been cut off from the old State, and the Funding act set out that whereas the people of this Commonwealth are anxious for the prompt liquidation of her pertion of said debt, which is estimated to be two-thirds of the same; and whereas it has been suggested that the authorities of West Virginia may prefer to pay that State's portion of said debt to the holders thereof, and not to this State, as the constitution of this State provides; therefore, to enable

West Virginia to settle her portion, and for the pur-pose of restoring the credit of Virginia by providing for the prompt and certain payment of the interest on her proportion of the debt as it should become due, Virginia proposed to the common creditors:— "1. That they should surrender their old bonds to her.

her.

"2. That they should receive from her, in exchange for these, bonds for two-thirds of the debt, and interest due in them, payable in thirty-four years are considered to the control of the debt, and interest due in them, payable in thirty-four years and public dues.

"3. That they should at the same time receive certificates for the other third, acting forth that payment of said third, with interest thereon at the rate prescribed in the bond surrendered, will be provided for in accordance with such settlement as shall hereafter be had between the States of Virginia and West Virginia in regard to the public debt, and that Virginia holds said bonds, so far as unfunded, in trust for the helder or his assignes."

"Virginia," continue the debt payers, "by that act said:—"I am bound to you for your whole bond, but in justice and equity I ought only to pay two-thirds, and I will settle hereafter for the other third in accordance with such settlement as I may have with Westers Virginia." This proposition was accepted by over two-thirds of the creditors and would probably have been accepted by the rest if the next Legislature had not withdrawn it and refused to allow any more of the creditors to come in under it. As it was, after cutting off West Virginia's share of the debt, twenty of the remaining thirty millions of it were funded in bonds running thirty or forty years at six per cont interest, known now as 'consol bonds', with coupons attached which are receivable for taxes. The remaining ten millions of debt bonds, bearing no interest, are known as the 'posic Hunder's Indusors. They had behind them a widespread public apprehension, aroused largely through Mahone's Indusors. They had behind them a widespread in a successful campaign in opposition to the funders. They had behind them a widespread in a successful campaign in opposition to the funders. They had behind them a widespread in the risk of paying bonds became, owing to passite in protosations, too glaing. As the last session of the legislature, after a l

"So much for the claim of the readjusters as to Virginia's alleged bankrupter, which might be further disproved by wearisome citations."

THE OTHER SIDE.

So much for the dobt payers' side of the matter. General Mahone, on the other hand, said so much to me in the interview heretofore alluded to that I reserve for another letter his explanation and defence of the policy now triumphant in the State.

A DEMURRER FOR TEXAS.

TO THE EDITOR OF THE HERALD:-Will you allow me, as a citizen of Marshall, Texas to correct the erroneous impression likely to have been left in the minds of many of your readers by your reference editorially in a recent issue of the HERALD to the probable discharge of the "ruffanly Texan, Currie," the murderer of the actor Porter.

James Currie is an ex-federal soldier, of reputed

James Currie is an ex-federal soldier, of reputed New York birth, raised in Ohio, whence he fied to escape punishment for crime. He helped to make Kanasa worthy her sobriquet of "bloody" by several murders, and came to Texas in 1873. His reputation as a man being unknown to me, he was employed as a locomotive engineer on the Texas and Pacific Railway. If he escapes punishment only people not resident of Texas will be to blame. The people of Texas were horror stricken at the crime, and Colonel W. W. Spivey, the present District Attorney, is noted for his unusual ability and conscientious industry in the discharge of his duty as public prosecutor. There were three witnesses to the murder—Mr. Barrymore and Miss Cummins, of New York, and Mr. Harvey, of Texas. The latter is now in custody at Marshall pending the trial. Mr. Barrymore and Miss Cummins are still here.

The murdered gentleman and his friends, together with the murdered gentleman and his friends, together with the murderer, were all strangers to us—were "bone of your bone and fiesh of your fleah"—and it seems unfair that Texas should be hold responsible for a crime committed on her soil by one of your people.

JOHN F. DICKSON,
Formerly General Superintendent Texas Pacific Railway.

COURT CALENDARS-THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Van Vorst.—Court opens at half-past ten A. M.—Calendar called at eleven A. M.—Nos. 65, 59, 62, 67, 81, 82, 98, 169, 170, 172, 178, 179, 200, 222, 223, 226, 238, 244, 252, 204, 268, 270, 271, 272, 273, 274, 275, 276, 277, 273, 279. SUPREME COURT—GENERAL TERM.—Adjourned until December 30.

SUPREME COURT—SPECIAL TERM.—Adjourned for the term.

SUPREME COURT—CIRCUIT—Part 1—Held by Judge Van Brunt.—Court opens at half-past ten A. M.—No day calendar. Parts 2 and 3.—Adjourned for the term.

SUPERIOR COURT—GENERAL TERM.—Adjourned size die.

SUPERIOR COURT—GENERAL TERM.—Adjourned size die.

SUPERIOR COURT—SPECIAL TERM—Held by Judge Speir.—Court opens at ten A. M.—No day calendar. Superior Court—Trial Term.—Paris 1 and 3.—Adjourned for the term. Pari 2.—No calendar. Common Fleas—General Term.—Adjourned until the first Monday in January.

COMMON PLEAS—SPECIAL TERM—Held by Judge Van Hoesen.—Calendar called at eleven A. M.—No. 8. Common Pleas—Equity Term.—Adjourned until December 29.

COMMON PLEAS—TRIAL TERM—Paris 1 and 2.—Adjourned for the term.

MARINE COURT—TRIAL TERM—Paris 1, 2 and 3.—Adjourned for the term.

COURT OF OFER AND TERMINER.—Adjourned until January 6, 1880.

COURT OF GENERAL SESSIONS—Paris 1 and 2.—Adjourned for the term.

M. Paul Deroulède, the author of a great many military songs of considerable merit, has just succeeded in getting the terrible committee of the Theatre Francais to accept a five-act drams in verse, entitled "La Moabite," which is to be played some time next year.

The Catholic journals on the Continent applaud the exhortation of the Archbishop of Dublin to the

Irish people to pay their legitimate debts, and not to stake the prosperity of the country on dishonesty based on "mad appeals to communist principles." What strikes these journals very much is the apparent powerlessness of the English government, in presence of the fact that the farmers of many districts desire to pay their ronts, but are prevented from doing so by the agitators. POINTS OF DR. KENEALT'S PLEA FOR A WRIT

Rened from doing so by the agitators.

It is said that the Zulus look out still for another king, believing that Sir Garnet promised them one at Ulundi. They have an idea that Cetywayo's slaughtered brother Umbulazi, whose body was never found after the Tugels massacre in 1856, is still alive, that he has been taken care of by the English all these years, has married a white lady! and will come to rule over them. The Zulus have no doubt confounded Sir Garnet's reference to the Resident with a promise to place a king over them.

Among the congestivators, messages seek to the The writ of error in the Tichborne case, which has many points which have not yet been published which he will argue very strongly before the House of Lords, is that the judges who tried the case in the Court of Queen's Bench actually had no jurisdiction to try the case, and for the following

these years, has married a white lady! and will come to rule over them. The Zalus have no doubt confounded Sir Garnet's reference to the Resident with a promise to place a king over them.

Among the congratulatory measages sent to the Czar from all the courts of the world is the following from the Pope;—"with inexpressible dismay we have heard of the melauchely attack contemplated against Your Majesty's person. Providence, which ever protects Your Majesty's valuable life, has frustrated the criminal plan. I beg to express to Your Majesty my grief at the criminal deed, as well as my congratulation at Your Majesty's escape. I thank God for His gracious interposition."

Graf Paul Raday "Oberatuhlrichter" (a Hungarian title), or Gödölo, whose inexplicable suicide has casts gloom over the reyal family of Hungary, was one of the most intimate friends and constant visitors of the chideus circle. His well known wit and capitivating manners procured him privileges in the royal presence which strict etiquette denied to less favored guests. It was his custom to propose the Emperor's health after dinner, when he concluded with the words, "Long life to the King of Hungary," to which Crown Prince Rudolph used to answer, "Whom God preserve."

Cetywayo seems to be spending a pleasant time of it at Cape Town. The ex-King was present on a recent occasion on the baleony of the General's quarters at the castle, his wives and personal attendants grouped around him. The pipers of the Ninety-first were ordered out, and parformed in the castle quadrangle for some time for his annisement, Cetywayo apparently taking a great, though puzzled, interest in the pipes. The ex-King was grassed in a billycock hat and blue serge suit, and held in his hand a cano, on which he followed the movements of the pipers' ingers. The ladies residing in the castle and a few residents of the city were present during the afternoon. One of the pipers was presented to Cetywayo, who evidently took great interest in his dress, and minutely examined it. As his en

rine army, composed of some nine hundred officers and men, if I mistake not, will take their General's disgrace.

The Queen of Spain's spartments at the Castle of Pardo are thus described:—The rooms are eight in number. The first we enter it hung in white satin, with hand embroidered blue flowers; the furniture, of Louis XV. style, is upholstered in rich blue satin; in a corner is a remarkably fine cabinet of rosewood, ornamented with old Sevres panels of great beauty. This room leads into a smaller boudoir, style of the first French empire, hung in yellow satin, with furniture of the same. In a recess of a window is a small equestrian statue of the King when he was only four years old. The small mite, looking very frightened, is holding the bridle in one hand and is saluting with the other. The third room is called the Queen's music room. The hangings are red and gold, two grand planos occupy two corners, and curves and knickhacks abound. The Queen's study, or workroom, comes next. It opens upon a large terrace, which, in summer, is arranged as a garien. It is white and gold, the furniture being old Dutch, with inlaying of colored flowers. Then comes the bedroom, which is a very marvel of splendor and luxury. It required no less than eight hundred yards of stuff for the hangings, which are of ceru Lyons sitk, broché, with alternate innes of red and blue flowers. The furniture is Louis XVI.; in a corner is a table in old Sevress; in the middle of the room is the bed, in black wood, with embossed brass ornaments; at the head two reclining nude female figures support a shield, upon which is emblazoned the Queen's monogram in red upon a blue ground; a canopy, in embossed brass, support the curtains, which are thek silk, of the same design as the hangings. The bathroom, which is emblazoned the Queen's monogram in red upon a blue ground; a canopy, in embossed brass, support the curtains, which are thek silk, of the same design as the hangings. The bathroom, which is emblazoned the Queen's monogram in red upon a blue

cament has stroady served the whole period of his punishment, and is therefore by law entitled to be released.

Another point upon which Dr. Kenesly relies strongly is the misdirection of the Judge to the jury. He accuses Sir Alexander Cockburn of being partial and one-sided in his summing up. He alleges that the Lord Chief Justice of England, instead of acting in a caim, dignified and judicial manner, gave way to his prejudice against the claimant and used the whole of his great talents to cajole and coerce the jury into the verdict which they gave.

He asserts also that the judges gave evidence from the bench; that they insuited all the wincesses for the claimant, and generally misconducted themselves. In 1874, shortly after the conviction of the claimant, Dr. Kenealy applied to Sir Richard Raggaley, the then Attorney General, demanding a writ of error on the above grounds; but Sir Richard Raggaley, the then Attorney General, demanding a writ of error on the above grounds; but Sir Richard Raggaley, the then attorney General, demanding a writ of error on the above grounds; but Sir Richard Raggaley, the then Attorney General, demanding a writ of error on the above grounds; but Sir Richard Raggaley, the then Attorney General, demanding a writ of error on the above grounds; but Sir Richard Raggaley, the then Attorney General, demanding a writ of error to as a matter of right, which by the constitution and ancient law of England the claimant was entitled to. The great English judge, Chief Justice Holt, and nine others, decided in the year 1704 "that a writ of error is not a writ of grace, but of right, and ought not to be denied to the subject when duly applied for, the denial thereof being an obstruction of justice, contrary to Magna Charta."

The subject did not come again prominently forward until the year 1704 "that Switon, No. 45), and also an obscene and impious libel ("An Essay on Women"), was brought up in custody before Lord Mansifeld, and applied for and obtained from the Attorney General his flat for a EGYPTIAN EXCAVATIONS.

HINTS OF NEW MARVELS FOR THE MUSEUMS OF THE WORLD-MONUMENTS OF THE ANCIENT GLORY OF THERES AND MEMPHIS. At a late meeting of the Académie des Inscription

et Belles-Lettres an important paper was read by Mariette-Bey on the excavations which it would be necessary to make in Egypt in order to rurther our knowledge of Egyptian history. At present we derive our information chiefly from historical inscriptions and funercal tablets. It is hardly conceivable how much is still hidden in the sand. Several remain quite unexplored. To these M. Mariette di-rected the attention of the Académie, reviewing remain quite unexplored. To these M. Mariette directed the attention of the Académie, reviewing the three great periods of Egyptian history in connection with the piaces where excavations should be made. Beginning with the old Empire we are very fairly acquainted with the fourth, fifth and sixth dynasties. The tombs opened at Ghizeh and Sakkarah by Lepsius and Mariette-Bey have thrown much light upon the history and civilization of the constructors of the great pyramids. We know havely anything about the first three dynasties except the names of the kings, who, judging from the upramid of Sakkarah, the work of Ouenepaes of the first dynasty, were very far from being barbarians. On the contrary, it is certain that Menes, whom tradition reports to have started from This, or Thinis, in Middle Egypt, and to have founded Memphis, was the sovereign of a kingdom very similar to that which excited the admiration of the Greeks. M. Mariette does not hesitate to say that the history of those ancient dynasties might be discovered by excavations made near the pyramids of Sakkarah, Aboo-Rosseh, Aboosir and Meydoom, and on the site of This or Thinis, the city from which Menes originated and which M. Mariette believes to be opposite Girgah. Passing rapidly over the monuments of the dynasties IV. to VI., M. Mariette dwalls on a third group of monuments, which he calls "the group of the unknown," viz:—the monuments of the dynasties VII. to X. From the end or the sixth dynasty to the beginning of the tenth there is a gap of 463 years, which we are at present de hypasties to the Monuments of the dynasties will. In Natalet, no fragment of any kind, remains of those four dynasties. Mancho quotes only one king from a series represented by eighteen names engraved on the-list of Abydos. We know that two of those dynasties were seated at Heracleopolis, a large city of which extensive ruins remain at Almael Monument of the Monument of the discoveries to be made there would extend far beyond the narrow circle of Egyptologists, as it is li the three great periods of Egyptian history in connection with the places where excavations

ECHOES FROM ABROAD.

CROWDED MARKETS.

The Inadequacy of Washington Market for Present Trade.

IMPASSABLE APPROACHES.

A Report on Its Unsanitary Condition Made Eight Years Ago.

Public attention was called to the fact by the Herald eight or nine years ago that the markets were in a most unhealthy condition. The interest then excited induced the Board of Health to take the matter in hand, and the result was a report, in which the facts stated in the HERALD were substantiated. The report conveyed the cheerful informa tion that a great portion of the food of the citizens of the metropolis came from markets pervaded with language to describe. Such was the interest felt in Sinking Fund gave long hearings to citizens' committees interested in the health of the city and the convenience or the people. The methods by which the then existing evils could be obviated were discussed at length, and various plans of relief were submitted. Before all of the projects ripened out of this discussion could be perfected the collapse of the Tweed Ring came, and from that day until the present the condition of things that created such public indignation has existed unreformed. As years advanced the inadequacy of the present market system be for market reform save the spasmodic raids of the Department of Public Works on the squatters. OVERGROWDED MARKETS.

The words used by the Sanitary Superintendent in a report filed on the 4th of August, 1871, concerning

the condition of the markets, are applicable to-day. "These markets," he says, "are wholly unfit for their purposes. The structures are in the last stages of decay and dilapidation and are impregnated with foul smanations from the accumulated fifth which undergo a rapid change when placed in them, and are soon rendered unfit for human food." Nothing has been done to improve the markets since the time that report was made, with a notable exception in favor of the Fulton Wholesale Fish Market. A visit to Washington Market, any Saturday when the streets thereabout are impassable, and only the most robust purchaser succeeds in crowding his or her way into the inner temple of huckstering will convince any one that more accommodation is needed. Great wagons, loaded down with all manner of merchandise, pass along the streets on all sides of the market, and the drivers of many of them are so reckiess as to endanger the lives of pedestrians who dart in and out between the horses' heads, on their way to and from the great emporium. The crowd of men, women and children that have business in and around the market is great enough to completely block up the immediate vicinity without the aid of additional thousands of purchasers who daily struggle, at hazard of life and limb, to buy wares. No less than 20,000 persons make a living in and around Washington Market alone. The market folk

The subjected divorce is still one of those at present absorbing a great portion of public attention in Paris, where there appears to be a pretty equal division of opinion on the much-disputed question of the property of the public between the two the eloquent discourse of the precedent after at St. Philipped-th-flouis, and literary men. A marked feature of the present controversy is the extreme purpose of the present controversy is the extreme purpose of the present controversy is the extreme purpose to the present controversy is the extreme purpose of the present controvers New Yorkers who are ignorant of the facts concerning those great bazzars. This crowding of huckster stalls around the market affects its business probably more than \$1,000,000 a year. Hundreds of thousands of purenasers, rather than subject themselves to the danger and annoyance of a visit to Washington Market, purchase goods from uptown retailers, and are estisfied with inferior articles at higher prices. The petty trade driven by the outsiders is so insignificant an amount that it would be ridiculous to pit it against that trade which is driven away from the market proper. This year, more than ever before, is the want of room and accommodation felt by downtown dealers. While the wholesalers are doing a flourishing trade the retailers in the market are not keeping pace with them. The reason for this is obvious, for, as last stated, purchasers will not go to Washington Market in order to save fitty cents or a dollar when that saving entails the risk of having their clothes torn from their backs or their necks broken.

By the gradual encroachments of those outside peddlors the market proper has been entirely obscured. The building originally was oblong, and faced Washington street. True to the old ideas of market construction, a great space was left in front for carts, produce wagons, &c. Viewing it now no human being could describe its shape, for it has no shape. Its figure is motley; sheds and stalls, awaings and signs, chimney pots and skylights, lend to it a picturesqueness quite unique. In the early stage of the development of this peculiar architectural monster the space now eccupied by the west or wholesale market was covered with water, but gradually it was filled in, and squaters were numerous. This filled in space now gives accommodation—the word is used advisedly—to 600 wholesale stalls. When these stalls were first occupied the streets in the vicinity were comparatively clear, for there was room in the retail market to accommodate all the trade, but as time advanced trade grew, and as the city made n

a new market were given as long as eight years ago by Mr. Stephen H. Olin, counsel of the Citizens' Association.

In presenting his facts he said the value of down-town market property was \$5,000,000, but that the revenue therefrom had not, for years, amounted to more than \$150,000 above expenses. The property should bring in seven per cent on its valuation, or \$350,000. Hetice it was plain to be seen that the city lost annually about \$200,000. If the markets were put in private hands Mr. Olin claimed that they would pay the city annually in taxes from \$150,000 to \$200,000. In this view of the case the loss to the city was about \$300,000 annually. The reason why this market business in the hands of the city should not be profitable is very simple. It is on account of the inherent impossibility of obtaining by public instrumentalities such success in private business as private enterprise, energy and application can command. But the loss to the city, great as it is, is insignificant as compared to the burden imposed upon the population. The markets are not now in the centres of population, but of trade. Hardly ten of the men bringing truck to this city occupy stills in the market. Their original purpose has been lost. The upper part of the city is now fed by small stores supplied from the large reservoirs down town. There are 5,000 butcher shops up town, and 7,000 carts are employed daily to carry the food up from the markets. The result is worse food and higher prices. The prices of meats and vegetables are now thirty per cent higher up town than at Washington Market, and an additional and needless burden of \$20,000,000 per annum is imposed upon the upper part of the city by this at-

tempt to use this antiquated machinery for the distribution of food. The system had not only ceased to be useful, but was positively harmful. The sites occupied by the markets were needed for other kinds of business. Paris has twelve times the market facilities of New York and Brooklyn. Eight hundred and fifty million dollars' worth per annum, at first cost, is imported there, and although the first cost of food here is eight and a half per cent less than in Paris, their superior mode of distribution makes a difference of \$50,00,000 in their favor; \$100 worth of food is rotalled for \$124. The same quantity of food costs but \$01 here, but retails for \$184. In Philadelphia, with its numerous and well planned markets, the average retail is less than the average New York upfown price by about forty-five per cent. The facts stated by Mr. Ofin concerning the earning capacity of the city property at that time are within the knowledge of every real estate expert, and in this connection it may be well to state that Fulton Market now yields to the city about \$2,500 per city lot. Of course, it is let in very small holdings, but taking a general average over the whole market area it yields only \$3,500 per annum for every lot 25 by 100 feet. The rentals for stands in the market vary in price according to location, ranging from \$1 per week for a stand outside the market to \$6 foor one inside. Wholesalers pay from \$1 to \$1 to

A VARIETY ACTRESS SHOT.

SERIOUS RESULT OF AN EARLY MORNING EN-COUNTER WITH A JEALOUS AND TIPSY HUS-

When Mice Smith, a young variety actress employed in one of the Bowery theatres, was on her northwest corner of Grand street and the Bowery by her husband, Charles Smith. For some time past the pair have not lived together, because, as Mrs. Smith states, her husband was a jealous and bad-tempered of liquor, accosted his wife and in a throatening tone said, as is alleged, "Alice, if you don't come home of liquor, accosted his wife and in a threatening tone said, as is alleged, "Alice, if you don's come home with me I'll shoot you." The woman replied, "I won't, and you had better pass me by," and then walked on toward her apartiments, which were at No. 108 Bowery. She had nardly crossed the street, however, when her husband started in pursuit. Mrs. Smith heard his footsteps, but did not lock around. She had reached the opposite corner when its drew from his pocket a revolver and fired at her. The ball struck her in the head, and caused her to stagger and fall to the sicewalk. Apparently estimate with his work Smith crossed the Bowery and was soon lost sight of. The wounded woman quickly recovered, and upon regaining her feet walked down Grand street. Although the shooting was winnessed by a number of men who were standing near by none of them attempted to render the unfortunate woman any assistance or to cause her assailant's arrest. Sometime later Mrs. Smith entered the Mulberry street station house. She was then covered with blood, which had flowed from the wound in her head. The sengeant immediately telegraphed for an ambulance. Upon the arrival of the surgeon he examined the wound and ascertained that the bullet had entered the black part of the head. It took an upward course and passed out a short distance from the place it had entered. The skull was not fractured, and on that account he said her injuries were not serious. Mrs. Smith was, however, suffering from shock, and the physician thought it advisable to take her to Bellevue Hospital. Captain Brogan obtained an accurate description of her husband, and with his detectives is hunting for him. Mrs. Smith said that she was married some years ago, and that for a time she lived happily with her husband, the then became jealous of her, and while in that mood he was accustomed, she said, to abuse her. She then determined to leave him, and since she has supported herself. Smith frequently threatened to shoot her, she says, but she paid no attention to his th

BLEEDING TO DEATH

SUSPICIOUS CIRCUMSTANCES SURROUNDING THE WOUNDING OF A YOUNG MAN-A SEVERED ARTERY AND A BROKEN FANLIGHT.

A young man named Christopher Develin, while ttempting, as is charged by the police, to rob a grocery store in Manhattanville, at three o'clock yesterday morning, met with a mishap which the physicians at the reception hospital in West Ninetyninth street believe will result in his death. The particulars of the case were yesterday sent to Superintendent Walling, at Police Headquarte by Captain Leary, of the Thirtieth precinct, in whose district the accident occurred. According to the Captain's report it appears that at three A. M. yesterday Roundsman Frederick Thurman was on patrol, and when at the corner of 12sth and Lawrence streets heard a noise made by three A. M. Yesterday Roundsman Frederick
Thurman was on patrol, and when at the corner of
12sth and Lawrence streets heard a noise made by
the breaking of giass. He quietly began an investigation, and at the door of Honry Burkhardt's grocery
store, No. 110 Lawrence street, he heard a groan.
Upon continuing his search he found a young
man lying unconscious in a pool of blood
on the doorstep of the grocery. Blood was
flowing in copious streams from a wound
in the man's arm. The officer at once saw that an
artery had been severed, and fearing that the unfortunate man would bleed to death, made a ligature,
of his handkerchief. After stopping the flow of
blood the roundsman rapped for assistance and in a
few minutes several officers arrived and carried the
stranger to the station house, whence he was removed
to the hospital in an ambulance. It was at first
thought by the officers that the man, who
proved to be Christopher Develin, twentyone years old, of No. 96 Lawrence street,
had been stabbed, and two men who were seen hurriedly crossing some open lots in that neighborhood
a few minutes before were suspected of being his
assailants. This theory was, however, dispelled by
the discovery that the glass in the fanlight over the
grocery store door was broken and stained with
blood. The fact was thought to be established that
Develin had been injured while attempting to
forcibly enter the grocery for the purpose of robbery, and that the men who
had made their escape were accomplices. Devolin was them charged with burgiary and a guard
was placed over him in the hospital. He was never
before known to the authorities as a criminal.
He resided in a house adjoining the police station
and was in the habit of spending a good deal of
time in company with the officers while on duty.
Some time after his arrival at the hospital Develin
regained consciousness, but declined to make any
statement. Captain Leary is searching for his supposed companions. He thinks he has found a clew
by which he pay recover valuable prop

Information was sent to the West 100th street station house toward midnight on Wednesday that a near Eleventh avenue, had been dangerously as-saulted and was lying at the point of death. Police went to investigate the matter. He found Thomas Haffey, a laborer, lying in his shanty with his skull fractured, and learned that John Morgan, a man living next door, had indicted the wound. He arrested him. Morgan told the following story:—"I was quicily sitting in my room on Christmas Eve, when about nine o'clock my neighbor Haffey entered without knocking and began to kick me. I remonstrated and tried to get away from him, but he followed up the attack. Purely out of self-defence I seized a club and knocked him down, when the neighbors came in and took him home. I have known Haffey as a neighbor, but have never had any troubie with him and cannot account for his conduct toward me." The prisoner was locked up. Dr. Fanning said that the injury to Haffey had, in his opnion, been inflicted with an axe and hot with a club. He thought the man's recovery a matter of chance. Morgan told his story yesterfay to Justice Wandell, in the Harlem Police Court, and was committed to await the result of his victim's injuries. The prisoner is employed as a driver on the Eighth Avenue Railroad and has always borne the reputation of a peaceable man. Haffey, a laborer, lying in his shanty with his skull

STABBED IN THE NECK.

The stabbing of a man at the corner of Grand and Ninth streets, in Williamsburg, last evening, came to the knowledge of the police soon after its occurrence. Captain Woglom promptly started out with rence. Captain Woglom promptly started out with his reserve force to secure the perpetrator. From the injured man, whose name is William H. Betts, the name of his assailant was ascertained to be Sanntel Marshall, who, it appears, was an intimate associate of Betts. The cause of the cutting is unknown beyond the fact that Betts says that he had asked Marshall to take a drink as they were crossing Grand street. Marshall returned with a suriy negative, and upon reaching the sidewalk Betts says his companion deliberately thrust a hinre blade into his neck. The wounded man staggered a few moments and then reli, bleeding profusely. An ambulance arrived and Betts was conveyed to the nospital, Marshall succeeded in eluding the police.